

Article 1: Base Zones

Division 5: Commercial Base Zones

§131.0501 Purpose of Commercial Zones [No Change]

§131.0502 Purpose of the CN (Commercial--Neighborhood) Zones [No Change]

§131.0503 Purpose of the CR (Commercial--Regional) Zones [No Change]

§131.0504 Purpose of the CO (Commercial--Office) Zones [No Change]

§131.0505 Purpose of the CV (Commercial--Visitor) Zones [No Change]

§131.0506 Purpose of the CP (Commercial--Parking) Zone [No Change]

§131.0507 Purpose of the CC (Commercial--Community) Zones

- (a) The purpose of the CC zones is to accommodate community-serving commercial services, retail uses, and limited industrial uses of moderate intensity and small to medium scale. The CC zones are intended to provide for a range of *development* patterns from pedestrian-friendly commercial *streets* to shopping centers and auto-oriented strip commercial *streets*. Some of the CC zones may include residential *development*. Property within the CC zones will be primarily located along collector *streets*, major *streets*, and public transportation lines.
- (b) The CC zones are differentiated based on the uses allowed and regulations as follows:
 - (1) The following zones allow a mix of community-serving commercial uses and residential uses:
 - CC-1-1 is intended to accommodate *development* with strip commercial characteristics
 - CC-1-2 is intended to accommodate *development* with high intensity, strip commercial characteristics
 - CC-1-3 is intended to accommodate *development* with an auto orientation
 - (2) The following zones allow community-serving uses with no residential uses:
 - CC-2-1 is intended to accommodate *development* with strip commercial characteristics

- CC-2-2 is intended to accommodate *development* with high intensity, strip commercial characteristics
 - CC-2-3 is intended to accommodate *development* with an auto orientation
- (3) The following zones allow a mix of pedestrian-oriented, community-serving commercial uses and residential uses:
- CC-3-4 is intended to accommodate *development* with a pedestrian orientation
 - CC-3-5 is intended to accommodate *development* with a high intensity, pedestrian orientation
 - CC-3-6 is intended to accommodate *development* with a high intensity, pedestrian orientation, and medium high density.
- (4) The following zones allow heavy commercial uses and residential uses:
- CC-4-1 is intended to accommodate *development* with strip commercial characteristics
 - CC-4-2 is intended to accommodate *development* with high intensity, strip commercial characteristics
 - CC-4-3 is intended to accommodate *development* with an auto orientation
 - CC-4-4 is intended to accommodate *development* with a pedestrian orientation
 - CC-4-5 is intended to accommodate *development* with a high intensity, pedestrian orientation
 - CC-4-6 is intended to accommodate *development* with a high intensity, pedestrian orientation, and medium high density.
- (5) The following zones allow a mix of heavy commercial and limited industrial uses and residential uses:
- CC-5-1 is intended to accommodate *development* with strip commercial characteristics
 - CC-5-2 is intended to accommodate *development* with high intensity, strip commercial characteristics
 - CC-5-3 is intended to accommodate *development* with an auto orientation
 - CC-5-4 is intended to accommodate *development* with a pedestrian orientation
 - CC-5-5 is intended to accommodate *development* with a high intensity, pedestrian orientation
 - CC-5-6 is intended to accommodate *development* with a high intensity, pedestrian orientation, and medium high density.

§131.0515 Where Commercial Zones Apply [No Change]

§131.0520 Use Regulations of Commercial Zones

The regulations of Section 131.0522 apply in the commercial zones unless otherwise specifically provided by footnotes indicated in Table 131-05B. The uses permitted in any zone may be further limited if *environmentally sensitive lands* are present, pursuant to Chapter 14, Article 3, Division 1 (Environmentally Sensitive Lands Regulations).

- (a) Within the commercial zones, no *structure* or improvement, or portion thereof, shall be constructed, established, or altered, nor shall any *premises* be used or maintained except for one or more of the purposes or activities listed in Table 131-05B. It is unlawful to establish, maintain, or use any *premises* for any purpose or activity not listed in this section or Section 131.0522.
- (b) All uses or activities permitted in the commercial zones shall be conducted entirely within an enclosed building unless the use or activity is traditionally conducted outdoors.
- (c) *Accessory uses* in the commercial zones may be permitted in accordance with Section 131.0125.
- (d) Temporary uses may be permitted in the commercial zones for a limited period of time with a Temporary Use Permit in accordance with Chapter 12, Article 3, Division 4.
- (e) For any use that cannot be readily classified, the City Manager shall determine the appropriate use category and use subcategory pursuant to Section 131.0110.

§131.0522 Use Regulations Table of Commercial Zones

The uses allowed in the commercial zones are shown in Table 131-05B.

Legend for Table 131-05B

Symbol in Table 131-06B	Description of Symbol
P	Use or use category is permitted. Regulations pertaining to a specific use may be referenced.
L	Use is permitted with limitations, which may include location limitations or the requirement for a use or <i>development permit</i> . Regulations are located in Chapter 14, Article 1 (Separately Regulated Use Regulations).
N	Neighborhood Use Permit Required. Regulations are located in Chapter 14,

	Article 1 (Separately Regulated Use Regulations).
C	Conditional Use Permit Required. Regulations are located in Chapter 14, Article 1 (Separately Regulated Use Regulations).
-	Use or use category is not permitted.

Table 131-05B
Use Regulations Table for Commercial Zones

[No Change to Use Table for CN, CR, CO, CV and CP]

Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone	Zones																							
	Designator																								
	1st & 2nd >>	CC-																							
	3rd >>	1-					2-					3-					4-					5-			
4th >>	1	2	3	1	2	3	4	5	6	1	2	3	4	5	6	1	2	3	4	5	6				
Open Space																									
Active Recreation	-																								
Passive Recreation	-																								
Natural Resources Preservation	-																								
Park Maintenance Facilities	-																								
Agriculture																									
Agricultural Processing	-																								
Aquaculture Facilities	-																								
Dairies	-																								
Horticulture Nurseries & Greenhouses	-																								
Raising & Harvesting of Crops	-																								
Raising, Maintaining & Keeping of Animals	-																								
Separately Regulated Agriculture Uses																									
Agricultural Equipment Repair Shops	P																								
Commercial Stables	-																								
Community Gardens	-																								
Equestrian Show & Exhibition Facilities	-																								
Open Air Markets for the Sale of Agriculture-Related Products & Flowers	-																								
Residential																									
Mobilehome Parks	-																								
Multiple Dwelling Units	P ⁽²⁾																								
Rooming House [See Section 131.0112(a)(3)(A)]	P																								
Single Dwelling Units	-																								
Separately Regulated Residential Uses																									
Boarder & Lodger Accommodations	L																								
Companion Units	-																								
Employee Housing:																									
6 or Fewer Employees	-																								
12 or Fewer Employees	-																								

Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone	Zones																				
	Designator	CC-																				
	1st & 2nd >>	1-			2-			3-			4-			5-								
	3rd >>	1	2	3	1	2	3	4	5	6	1	2	3	4	5	6	1	2	3	4	5	6
4th >>																						
Greater than 12 Employees		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Fraternities, Sororities and Student Dormitories		C	-	-	-	-	-	C	-	-	C	-	-	-	-	-	C ⁽¹²⁾	-	-	-	-	-
Garage, Yard, & Estate Sales		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Guest Quarters		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Home Occupations		L	-	-	-	-	-	L	-	-	L	-	-	-	-	-	L ⁽¹²⁾	-	-	-	-	-
Housing for Senior Citizens		C	-	-	-	-	-	C	-	-	C	-	-	-	-	-	C ⁽¹²⁾	-	-	-	-	-
Live/Work Quarters		L	-	-	-	-	-	L	-	-	L	-	-	-	-	-	L ⁽¹²⁾	-	-	-	-	-
Residential Care Facilities:																						
6 or Fewer Persons		P	-	-	-	-	-	P	-	-	P	-	-	-	-	-	P ⁽¹²⁾	-	-	-	-	-
7 or More Persons		C	-	-	-	-	-	C	-	-	C	-	-	-	-	-	C ⁽¹²⁾	-	-	-	-	-
Transitional Housing:																						
6 or Fewer Persons		P	-	-	-	-	-	P	-	-	P	-	-	-	-	-	P ⁽¹²⁾	-	-	-	-	-
7 or More Persons		C	-	-	-	-	-	C	-	-	C	-	-	-	-	-	C ⁽¹²⁾	-	-	-	-	-
Watchkeeper Quarters		-	-	-	L	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Institutional																						
Separately Regulated Institutional Uses																						
Airports		C	-	-	C	-	-	C	-	-	C	-	-	-	-	-	C	-	-	-	-	-
Botanical Gardens & Arboretums		C	-	-	C	-	-	C	-	-	C	-	-	-	-	-	C	-	-	-	-	-
Cemeteries, Mausoleums, Crematories		C	-	-	C	-	-	C	-	-	C	-	-	-	-	-	C	-	-	-	-	-
Churches & Places of Religious Assembly		L	-	-	L	-	-	C	-	-	L	-	-	-	-	-	C	-	-	-	-	-
Correctional Placement Centers		C	-	-	C	-	-	C	-	-	C	-	-	-	-	-	C	-	-	-	-	-
Educational Facilities:																						
Kindergarten through Grade 12		C	-	-	C	-	-	C	-	-	C	-	-	-	-	-	C	-	-	-	-	-
Colleges / Universities		C	-	-	C	-	-	-	-	-	C	-	-	-	-	-	C	-	-	-	-	-
Vocational / Trade School		P	-	-	P	-	-	-	-	-	P	-	-	-	-	-	P	-	-	-	-	-
Energy Generation & Distribution Facilities		P	-	-	C	-	-	C	-	-	C	-	-	-	-	-	P	-	-	-	-	-
Exhibit Halls & Convention Facilities		C	-	-	C	-	-	C	-	-	C	-	-	-	-	-	C	-	-	-	-	-
Flood Control Facilities		L	-	-	L	-	-	L	-	-	L	-	-	-	-	-	L	-	-	-	-	-
Historical Buildings Used for Purposes Not Otherwise Allowed		C	-	-	C	-	-	C	-	-	C	-	-	-	-	-	C	-	-	-	-	-
Homeless Facilities:																						
Congregate Meal Facilities		C	-	-	-	-	-	C	-	-	C	-	-	-	-	-	C	-	-	-	-	-
Emergency Shelters		C	-	-	-	-	-	C	-	-	C	-	-	-	-	-	C	-	-	-	-	-
Homeless Day Centers		C	-	-	-	-	-	C	-	-	C	-	-	-	-	-	C	-	-	-	-	-
Hospitals, Intermediate Care Facilities & Nursing Facilities		C	-	-	C	-	-	C	-	-	C	-	-	-	-	-	C	-	-	-	-	-
Interpretive Centers		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Museums		C	-	-	C	-	-	C	-	-	C	-	-	-	-	-	C	-	-	-	-	-
Major Transmission, Relay, or Communications Switching Stations		C	-	-	C	-	-	C	-	-	C	-	-	-	-	-	C	-	-	-	-	-
Satellite Antennas		L	-	-	L	-	-	L	-	-	L	-	-	-	-	-	L	-	-	-	-	-

Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone	Zones																				
	Designator	CC-																				
	1st & 2nd >>																					
	3rd >>	1-			2-			3-			4-					5-						
4th >>	1	2	3	1	2	3	4	5	6	1	2	3	4	5	6	1	2	3	4	5	6	
Social Service Institutions		C			C			C			C						C					
Wireless communication facility:																						
Wireless communication facility in the public right-of-way with subterranean equipment adjacent to a non-residential use		L			L			L			L						L					
Wireless communication facility in the public right-of-way with subterranean equipment adjacent to a residential use		N			N			N			N						N					
Wireless communication facility in the public right-of-way with above ground equipment		C			C			C			C						C					
Wireless communication facility outside the public right-of-way		L			L			L			L						L					
Retail Sales																						
Building Supplies & Equipment		P ⁽¹¹⁾			P ⁽¹¹⁾			-			P ⁽¹¹⁾						P ⁽¹¹⁾					
Food, Beverages and Groceries		P ⁽¹¹⁾			P ⁽¹¹⁾			P ⁽¹¹⁾			P ⁽¹¹⁾						P ⁽¹¹⁾					
Consumer Goods, Furniture, Appliances, Equipment		P ⁽¹¹⁾			P ⁽¹¹⁾			P ⁽¹¹⁾			P ⁽¹¹⁾						P ⁽¹¹⁾					
Pets & Pet Supplies		P ⁽¹¹⁾			P ⁽¹¹⁾			P ⁽¹¹⁾			P ⁽¹¹⁾						P ⁽¹¹⁾					
Sundries, Pharmaceutical, & Convenience Sales		P ⁽¹¹⁾			P ⁽¹¹⁾			P ⁽¹¹⁾			P ⁽¹¹⁾						P ⁽¹¹⁾					
Wearing Apparel & Accessories		P ⁽¹¹⁾			P ⁽¹¹⁾			P ⁽¹¹⁾			P ⁽¹¹⁾						P ⁽¹¹⁾					
Separately Regulated Retail Sales Uses																						
Agriculture Related Supplies & Equipment		-			-			-			P						P					
Alcoholic Beverage Outlets		L			L			L			L						L					
Plant Nurseries		P			P			P			P						P					
Swap Meets & Other Large Outdoor Retail Facilities		-			-			-			-						-				C	
Commercial Services																						
Building Services		-			-			-			P						P					
Business Support		P			P			P			P						P					
Eating & Drinking Establishments		P			P			P			P						P					
Financial Institutions		P			P			P			P						P					
Funeral & Mortuary Services		P			P			P			P						P					
Maintenance & Repair		P			P			P			P						P					
Off-site Services		-			-			-			P						P					
Personal Services		P			P			P			P						P					
Assembly & Entertainment		P			P			P			P						P					
Radio & Television Studios		P			P			P			P						P					
Visitor Accommodations		P			P			P			P						P					
Separately Regulated Commercial Services Uses																						
Adult Entertainment Establishments:																						

Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone	Zones																			
	Designator	CC-																			
	1st & 2nd >>																				
	3rd >>	1-			2-			3-			4-					5-					
4th >>	1	2	3	1	2	3	4	5	6	1	2	3	4	5	6	1	2	3	4	5	6
Adult Book Store		L			L			L			L						L				
Adult Cabaret		L			L			L			L						L				
Adult Drive-In Theater		L			L			L			L						L				
Adult Mini-Motion Picture Theater		L			L			L			L						L				
Adult Model Studio		L			L			L			L						L				
Adult Motel		L			L			L			L						L				
Adult Motion Picture Theater		L			L			L			L						L				
Adult Peep Show Theater		L			L			L			L						L				
Adult Theater		L			L			L			L						L				
Body Painting Studio		L			L			L			L						L				
Massage Establishment		L			L			-			-						L				
Sexual Encounter Establishment		L			L			L			L						L				
Bed & Breakfast Establishments:																					
1-2 Guest Rooms		P			P			P			P						P				
3-5 Guest Rooms		P			P			P			P						P				
6+ Guest Rooms		P			P			P			P						P				
Boarding Kennels		C			C			C			C						C				
Camping Parks		C			C			C			C						C				
Child Care Facilities:																					
Child Care Centers		L			-			L			L						L				
Large Family Child Care Homes		L			-			L			L						L				
Small Family Child Care Homes		L			-			L			L						L				
Eating and Drinking Establishments Abutting Residentially Zoned Property		L			L			L			L						L				
Fairgrounds		C			C			-			C						C				
Golf Courses, Driving Ranges, and Pitch & Putt Courses		C			C			C			C						C				
Helicopter Landing Facilities		C			C			C			C						C				
Instructional Studios		C			C			C			C						C				
Massage Establishments, Specialized Practice		L			L			-			-						L				
Nightclubs & Bars over 5,000 square feet in size		C			C			C			C						C				
Parking Facilities as a <i>Primary Use</i> :																					
Permanent Parking Facilities		P			C			P			P						P				
Temporary Parking Facilities		N			C			N			N						N				
Private Clubs, Lodges and Fraternal Organizations		P			C			P			P						P				
Privately Operated, Outdoor Recreation Facilities over 40,000 Square Feet in Size ⁽⁹⁾		C			C			-			C						C				
Pushcarts:																					
Pushcarts on Private Property		L			L			L			L						L				
Pushcarts in <i>public right-of-way</i>		N			N			N			N						N				
Recycling Facilities:																					

Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone		Zones																				
	Designator		CC-																				
	1st & 2nd >>																						
	3rd >>		1-			2-			3-			4-					5-						
4th >>		1	2	3	1	2	3	4	5	6	1	2	3	4	5	6	1	2	3	4	5	6	
Large Collection Facility			N			N			N			N					N						
Small Collection Facility			L			L			L			L					L						
Large Construction & Demolition Debris Recycling Facility			-			-			-			-					-						
Small Construction & Demolition Debris Recycling Facility			-			-			-			-					-						
Drop-off Facility			L			L			L			L					L						
Green Materials Composting Facility			-			-			-			-					-						
Mixed Organic Composting Facility			-			-			-			-					-						
Large Processing Facility Accepting at Least 98% of Total Annual Weight of Recyclables from Commercial & Industrial Traffic			-			-			-			-					-						
Large Processing Facility Accepting All Types of Traffic			-			-			-			-					-						
Small Processing Facility Accepting at Least 98% of Total Annual Weight of Recyclables From Commercial & Industrial Traffic			-			-			-			C					C						
Small Processing Facility Accepting All Types of Traffic			-			-			-			C					C						
Reverse Vending Machines			L			L			L			L					L						
Tire Processing Facility			-			-			-			-					-						
Sidewalk Cafes			N			N			N			N					N						
Sports Arenas & Stadiums			C			C			C			C					C						
Theaters That Are Outdoor or over 5,000 Square Feet in Size			C			C			C			C					C						
Urgent Care Facilities			N			N			N			N					N						
Veterinary Clinics & Animal Hospitals			C			C			C			C					C						
Zoological Parks			-			-			-			-											
Offices																							
Business & Professional			P			P			P			P					P						
Government			P			P			P			P					P						
Medical, Dental & Health Practioner			P			P			P			P					P						
Regional & Corporate Headquarters			P			P			P			P					P						
Separately Regulated Office Uses																							
Real Estate Sales Offices & Model Homes			L			-			L			L					L						
Sex Offender Treatment & Counseling			L			L			L			L					L						
Vehicle & Vehicular Equipment Sales & Service																							
Commercial Vehicle Repair & Maintenance			-			-			-			P					P						
Commercial Vehicle Sales & Rentals			-			-			-			P					P						
Personal Vehicle Repair & Maintenance			P			P			-			P					P						
Personal Vehicle Sales & Rentals			P			P			-			P					P						

Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone	Zones																				
	Designator	CC-																				
	1st & 2nd >>	1-			2-			3-			4-			5-								
	3rd >>	1	2	3	1	2	3	4	5	6	1	2	3	4	5	6	1	2	3	4	5	6
4th >>																						
Vehicle Equipment & Supplies Sales & Rentals		P			P			-			P						P					
Separately Regulated Vehicle & Vehicular Equipment Sales & Service Uses																						
Automobile Service Stations		N			N			N			N						N					
Outdoor Storage & Display of New, unregistered Motor Vehicles as a <i>primary use</i>		C			C			-			C						C					
Wholesale, Distribution, Storage																						
Equipment & Materials Storage Yards		-			-			-			-						-					
Moving & Storage Facilities		-			-			-			P						P					
Warehouses		-			-			-			P ⁽⁸⁾						P ⁽⁸⁾					
Wholesale Distribution		-			-			-			-						P ⁽⁸⁾					
Separately Regulated Wholesale, Distribution, and Storage Uses																						
Impound Storage Yards		-			-			-			C						C					
Junk Yards		-			-			-			-						-					
Temporary Construction Storage Yards Located off-site		L			L			L			L						L					
Industrial																						
Heavy Manufacturing		-			-			-			-						-					
Light Manufacturing		-			-			-			-						P ⁽⁸⁾					
Marine Industry		-			-			-			-						-					
Research & Development		P			P			-			P						P					
Trucking & Transportation Terminals		-			-			-			-						-					
Separately Regulated Industrial Uses																						
Extractive Industries		-			-			-			-						-					
Hazardous Waste Research Facility		-			-			-			-						-					
Hazardous Waste Treatment Facility		-			-			-			-						-					
Marine Related Uses Within the Coastal Overlay Zone		C			C			C			C						C					
Newspaper Publishing Plants		C			C			C			C						P					
Processing & Packaging of Plant Products & Animal By-products Grown Off-premises		-			-			-			-						-					
Very Heavy Industrial Uses		-			-			-			-						-					
Wrecking & Dismantling of Motor Vehicles		-			-			-			-						-					
Signs																						
Allowable Signs		P			P			P			P						P					
Separately Regulated Signs Uses																						
Community Entry Signs		L			L			L			L						L					
Neighborhood Identification Signs		-			-			-			-						-					
Reallocation of Sign Area Allowance		N			N			N			N						N					
Revolving Projecting Signs		N			N			N			N						N					

Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones																			
	1st & 2nd >>	CC-																			
	3rd >>	1-			2-			3-			4-					5-					
	4th >>	1	2	3	1	2	3	4	5	6	1	2	3	4	5	6	1	2	3	4	5
Signs with Automatic Changing Copy		N			N			N			N					N					
Theater Marquees		N			N			N			N					N					

Footnotes to Table 131-05B

- ¹ Uses shall not begin operating before 6:00 a.m. or continue operating later than 12:00 midnight in CN zones.
- ² See Section 131.0540.
- ³ Only office furniture, appliances, and equipment establishments are permitted. The gross floor area occupied by these uses shall not exceed 2,500 square feet for each premises.
- ⁴ Drive-in and drive-through restaurants, live entertainment, and the sale of intoxicating beverages other than beer and wine are not permitted in the CN zones.
- ⁵ The sale of alcoholic beverages is not permitted as a primary use.
- ⁶ The gross floor area occupied by these uses shall not exceed 2,500 square feet for each premises.
- ⁷ Hiring halls are not permitted.
- ⁸ These activities shall be located solely within an enclosed building that does not exceed 7,500 square feet of gross floor area. Activities that would require a permit from the Hazardous Materials Management Division of the County of San Diego or from the San Diego Air Pollution Control District are not permitted.
- ⁹ The 40,000 square feet includes all indoor and outdoor areas that are devoted to the recreational use; it does not include customer parking areas.
- ¹⁰ This use is not allowed within the Coastal Overlay Zone.
- ¹¹ Development of a large retail establishment is subject to Section 143.0302.

§131.0530 Development Regulations of Commercial Zones [No Change]

§131.0531 Development Regulations Tables of Commercial Zones

The following development regulations apply in each of the commercial zones as shown in Tables 131-05C, 131-05D, and 131-05E.

(a) CN Zones

**Table 131-05C
Development Regulations of CN Zones**

Development Regulations [See Section 131.0530 for Development Regulations of Commercial Zones]	Zone Designator	Zones		
	1st & 2nd >>	CN-		
	3rd >>	1-	1-	1-
	4th >>	1	2	3
Max permitted residential density ⁽¹⁾		3,000	1,500	1,500
Supplemental residential regulations [See Section		applies	applies	applies

Development Regulations [See Section 131.0530 for Development Regulations of Commercial Zones]	Zone Designator	Zones		
	1st & 2nd >>	CN-		
	3rd >>	1-	1-	1-
	4th >>	1	2	3
131.0540]				
Lot area				
Min Lot Area (sf)		2,500	5,000	5,000
Max Lot Area (ac)		0.3	10	10
Lot dimensions				
Min Lot Width (ft)		25	50	50
Min <i>street frontage</i> (ft)		25	50	50
Min Lot Depth (ft)		100	--	--
Setback requirements				
Min Front <i>setback</i> (ft) Max Front <i>setback</i> (ft) [See Section 131.0543(a)(1)]		-- 10 ⁽²⁾	-- --	-- 10 ⁽²⁾
Min Side <i>setback</i> (ft) Optional Side <i>setback</i> (ft) [See Section 131.0543(b)]		10 0	10 0	10 0
Side <i>Setback</i> abutting residential [See Section 131.0543(c)]		applies	applies	applies
Min <i>Street Side setback</i> (ft) Max <i>Street Side setback</i> (ft) [See Section 131.0543(a)(1)]		-- 10 ⁽²⁾	-- --	-- 10 ⁽²⁾
Min Rear <i>setback</i> (ft) Optional Rear <i>setback</i> (ft) [See Section 131.0543(b)]		10 0	10 0	10 0
Rear <i>Setback</i> abutting residential [See Section 131.0543(c)]		applies	applies	applies
Max structure height (ft)		30	30	30
Max floor area ratio		1.0 ^(3,4)	1.0 ^(3,4)	1.0 ^(3,4)
<i>Floor Area Ratio</i> bonus for residential mixed use Minimum percentage of bonus required for residential use [See Section 131.0546(a)]		0.5 /100	0.75 /50	0.75 /50
<u>Minimum required Floor Area Ratio for residential use</u>		<u>0.5</u>	<u>0.38</u>	<u>0.38</u>
Pedestrian paths [See Section 131.0550]		applies	applies	applies
Transparency [See Section 131.0552]		applies	--	applies
Building articulation [See Section 131.0554]		applies	applies	applies
Refuse and Recyclable Material Storage [See Section 142.0805]		applies	applies	applies

Footnotes for Table 131-05C

¹ One dwelling unit per specified minimum square footage of lot area as determined in accordance with Section 113.0222.

² See Section 131.0543(a)(2).

³ Within the Kearny Mesa Community Plan area, the maximum *floor area ratio* is 0.50 and the portion of the maximum allowed *gross floor area* that may be occupied by retail sales or eating and drinking establishments shall not exceed 70 percent.

⁴ Within the Otay Mesa Community Plan Area the maximum floor area ratio is 0.3 and no bonus floor area ratio bonus is provided for residential use.

(b) CR, CO, CV, and CP Zones

Table 131-05D
Development Regulations of CR, CO, CV, CP Zones

Development Regulations [See Section 131.0530 for Development Regulations of Commercial Zones]	Zone Designator	Zones						
	1st & 2nd >> 3rd >> 4th >>	CR-		CO-		CV-		CP-
		1-	2-	1-		1-		1-
		1	1	2	1	2	1	
Max permitted residential density ⁽¹⁾		1,500	1,000	1,500	1,500	1,500	--	
Supplemental residential regulations [See Section 131.0540]		applies	applies	applies	applies	applies	--	
Lot area								
Min Lot Area (sf)		15,000	5,000	5,000	15,000	5,000	--	
Max Lot Area (ac)		--	--	--	--	--	--	
Lot dimensions								
Min Lot Width (ft)		100	50	50	100	50	--	
Min street frontage (ft)		100	50	50	100	50	--	
Min Lot Depth (ft)		100	100	100	100	100	--	
Setback requirements								
Min Front setback (ft)		10	10	10	10	--	10	
Max Front setback (ft)		--	25 ⁽²⁾	--	--	10 ⁽²⁾	--	
[See Section 131.0543(a)(1)]								
Min Side setback (ft)		10	10	10	10	10	10	
Optional Side setback (ft)		--	0 ⁽³⁾	0 ⁽³⁾	--	0 ⁽³⁾	--	
Side Setback abutting residential [See Section 131.0543(c)]		applies	applies	applies	applies	applies	applies	
Min Street Side setback (ft)		10	10	10	--	--	--	
Max Street Side setback (ft)		--	25 ⁽²⁾	--	--	10 ⁽²⁾	--	
[See Section 131.0543(a)(1)]								
Min Rear setback (ft)		10	10	10	10	10	10	
Optional Rear setback (ft)		--	0 ⁽³⁾	0 ⁽³⁾	--	0 ⁽³⁾	0 ⁽³⁾	
Rear Setback abutting residential [See Section 131.0543(c)]		applies	applies	applies	applies	applies	applies	
Max structure height (ft)		60	45	60	60	45	30	
Min lot coverage (%)		--	--	--	--	35	--	
Max floor area ratio		1.0 ^(4,5)	0.75 ^(4,5)	1.5 ^(4,5)	2.0 ^(4,5)	2.0 ^(4,5)	1.0 ^(4,5)	
Floor Area Ratio bonus for residential mixed use/ Minimum percentage of bonus required for residential use [See Section 131.0546(a)]		1.0/50	1.0 /100	1.5	--	--	--	
Minimum required Floor Area Ratio for residential use		0.5	1.0	0.75	--	--	--	

<i>Floor Area Ratio</i> bonus for child care [See Section 131.0546(b)]	applies	--	applies	--	--	--
Pedestrian paths [See Section 131.0550]	applies	applies	applies	applies	applies	--
Transparency [See Section 131.0552]	--	applies	--	--	applies	--
Building articulation [See Section 131.0554]	applies	applies	applies	applies	applies	--
Street yard parking restriction [See Section 131.0555]	--	applies	--	--	--	--
Parking lot orientation [See Section 131.0556]	applies	--	applies	applies	applies	--
Refuse and Recyclable Material Storage [See Section 142.0805]	applies	applies	applies	applies	applies	applies

Footnotes
for Table
131-05D
¹ One
dwelling
unit per
specified

minimum square footage of lot area as determined in accordance with Section 113.0222.

² See section 131.0543(a)(2).

³ See section 131.0543(b).

⁴ Within the Kearny Mesa Community Plan area, the maximum *floor area ratio* is 0.50 and the portion of the maximum allowed *gross floor area* that may be occupied by retail sales or eating and drinking establishments shall not exceed 70 percent.

⁵ Within the Otay Mesa Community Plan Area the maximum floor area ratio is 0.3 and no bonus floor area ratio bonus is provided for residential use.

(c) CC Zones

Table 131-05E
Development Regulations of CC Zones

Development Regulation [See Section 131.0530 for Development Regulations of Commercial Zones]	Zone Designator	Zones																					
	1st & 2nd >>	CC-																					
	3rd >>	1-	2-	4-	5-	1-	2-	4-	5-	1-	2-	4-	5	3-	4-	5-	3-	4-	5-	<u>3-</u>	<u>4-</u>	<u>5-</u>	
	4th >>	1				2				3				4		5			<u>6</u>				
Max permitted residential density ⁽¹⁾		1,500				1,500				1,500				1,500		1,500			1,000				
Supplemental residential regulations [See Section 131.0540]		applies				applies				applies				applies		applies			<u>applies</u>				
Lot area																							
Min Lot Area (sq. ft.)		5,000				5,000				5,000				2,500		2,500			<u>2,500</u>				
Max Lot Area (ac)		--				--				--				--		--			<u>--</u>				
Lot dimensions																							
Min Lot Width (ft)		50				50				100				25		25			<u>25</u>				
Min <i>street frontage</i> (ft)		50				50				100				25		25			<u>25</u>				
Min Lot Depth (ft)		100				100				--				--		--			<u>--</u>				
Max Lot Depth (ft)		150				150				--				--		--			<u>--</u>				

Development Regulation [See Section 131.0530 for Development Regulations of Commercial Zones]	Zone Designator	Zones																				
	1st & 2nd >>	CC-																				
	3rd >>	1-	2-	4-	5-	1-	2-	4-	5-	1-	2-	4-	5-	3-	4-	5-	3-	4-	5-	<u>3-</u>	<u>4-</u>	<u>5-</u>
	4th >>	1				2				3				4			5			<u>6</u>		
Setback requirements																						
Min Front setback (ft) Max Front setback (ft) [See Section 131.0543(a)(1)]		-- 100 ^(2,3)				-- 100 ^(2,3)				-- --				-- 10 ⁽²⁾			-- 10 ⁽²⁾			-- --		
Min Side setback (ft) Optional Side setback (ft) [See Section 131.0543(b)]		10 0				10 0				10 0				10 0			10 0			<u>10</u> <u>0</u>		
Side Setback abutting residential [See Section 131.0543(c)]		applies				applies				applies				applies			applies			<u>applies</u>		
Min Street Side setback (ft) Max Street Side setback (ft) [See Section 131.0543(a)(1)]		-- --				-- --				-- --				-- 10 ⁽²⁾			-- 10 ⁽²⁾			<u>--</u> <u>10⁽²⁾</u>		
Min Rear setback (ft) Optional Rear setback (ft) [See Section 131.0543(b)]		10 0				10 0				10 0				10 0			10 0			<u>10</u> <u>0</u>		
Rear Setback abutting residential [See Section 131.0543(c)]		applies				applies				applies				applies			applies			<u>applies</u>		
Max structure height (ft)		30				60				45				30			100			<u>60</u>		
Min lot coverage (%)		--				--				--				35			35			<u>35</u>		
Max floor area ratio		0.75 ⁽⁴⁾				2.0 ⁽⁴⁾				0.75 ⁽⁴⁾				1.0 ⁽⁴⁾			2.0 ⁽⁴⁾			<u>2.0⁽⁴⁾</u>		
Floor Area Ratio bonus for <u>residential</u> mixed use/ Minimum percentage of bonus required for residential use [See Section 131.0546(a)]		0.75/ 75				--				0.75/ 75				0.5/ 50			2.0/ 50			<u>2.0</u>		
<u>Minimum required Floor Area Ratio for residential use</u>		<u>0.56</u>				--				<u>0.56</u>				<u>0.25</u>			<u>1.0</u>			<u>1.0</u>		
Pedestrian paths [See Section 131.0550]		applies				applies				applies				applies			applies			<u>applies</u>		
Transparency [See Section 131.0552]		---				---				---				applies			applies			<u>applies</u>		
Building articulation [See Section 131.0554]		applies				applies				applies				applies			applies			<u>applies</u>		
Parking lot orientation [See Section 131.0556]		applies				applies				applies				-			-			<u>=</u>		
Refuse and Recyclable Material Storage [See Section 142.0805]		applies				applies				applies				applies			applies			<u>applies</u>		

Footnotes for Table 131-05E

- ¹ One dwelling unit per specified minimum square feet of lot area as determined in accordance with Section 113.0222.
- ² See Section 131.0543(a)(2).
- ³ See Section 131.0543(a)(3).

- ⁴ Within the Kearny Mesa Community Plan area, the maximum *floor area ratio* is 0.50 and the portion of the maximum allowed *gross floor area* occupied by retail sales or eating and drinking establishments shall not exceed 70 percent.

- ⁵ Within the Otay Mesa Community Plan Area the maximum floor area ratio is 0.3 and no bonus floor area ratio bonus is provided for residential use.

§131.0540 Maximum Permitted Residential Density and Other Residential Regulations

The following regulations apply to all residential *development* within commercial zones:

- (a) Residential *Development* as a Permitted Use.

Residential *development* is permitted in commercial zones only where it is identified in Table 131-05B.

- (b) Mixed-Use or Multi-Use Requirement. Residential *development* is permitted only when a commercial *structure* exists on the *premises* or is a part of the proposed *development*. For purposes of this section a commercial structure shall be required to have a minimum ground floor height of 13 feet.

- (c) Ground *Floor* Restrictions.

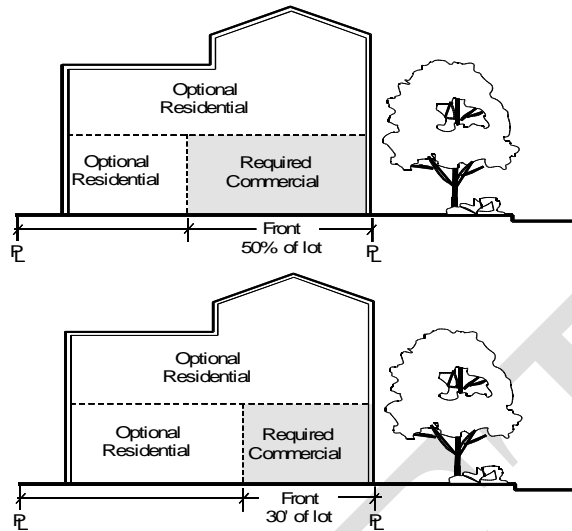
(1) Residential use and residential parking are prohibited on the ground *floor* in the front half of the *lot*, except in the CC-3-4, CC-3-5, CC-3-6, CC-4-4, CC-4-5, CC-4-6, CC-5-4, CC-5-5, CC-5-6, and CV-1-2 zones, where these uses are prohibited on the ground *floor* in the front 30 feet of the *lot* as shown in Diagram 131-05A.

(2) Within the Coastal Overlay Zone:

(A) ~~Required~~ parking cannot occupy more than 50 percent of the ground floor in the CV-1-1 or CV-1-2 zones.

(B) Residential uses are not permitted on the ground floor.

Diagram 131-05A Ground Floor Restriction



- (d) Residential *Development*. Where residential *development* is permitted, the development regulations of the RM-1-1, RM-2-5, and RM-3-7 zones as appropriate according to the maximum permitted residential *density* apply, except that the lot area, lot dimensions, *setback*, *floor area ratio*, and *structure height* requirements of the applicable commercial zone apply.
- (e) Non owner occupants must reside on the premises for a minimum of 7 consecutive calendar days.
- ~~(f) Within the Coastal Overlay Zone, residential uses are not permitted on the ground floor.~~

- §131.0543 Setback Requirements for Commercial Zones [No Change]
- §131.0546 Maximum Floor Area Ratio [No Change]
- §131.0550 Pedestrian Paths [No Change]
- §131.0552 Transparency [No Change]
- §131.0554 Building Articulation [No Change]
- §131.0555 Parking Restriction [No Change]
- §131.0556 Parking Lot Orientation [No Change]